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2 UNITED STATES DISTRICT COURT  
3 SOUTHERN DISTRICT OF FLORIDA  
4 MIAMI DIVISION  
5 CASE NO.:1:22-cv-21004-DPG  
6 JESSICA GUASTO,  
7 PLAINTIFF,  
8 VS.  
9 THE CITY OF MIAMI BEACH, FL,  
10 A FLORIDA MUNICIPALITY,  
11 DEFENDANT.  
12  
13  
14 DEPOSITION OF: ANDREA FORERO  
15 DATE: JULY 23, 2024  
16 TIME: 10:01 A.M. - 10:24 A.M.  
17 PLACE: VIA ZOOM REMOTE CONFERENCING  
18 REPORTED BY: TAMARA MASCI TANNEN, RPR, FPR-C  
19 NOTARY PUBLIC, STATE OF FLORIDA  
20  
21  
22  
23  
24  
25

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1 APPEARANCES:  
2 DANIEL B. BARROUKH, ESQ.  
3 DEREK SMITH LAW GROUP, PLLC  
4 520 BRICKELL KEY DRIVE  
5 SUITE C-301  
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7 (786) 688-2335  
8 DANIELB@DEREKSMITHLAW.COM  
9 COUNSEL APPEARING ON BEHALF OF THE PLAINTIFF.  
10  
11  
12  
13 MICHAEL L. ELKINS, ESQ.  
14 MLE LAW  
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18 MELKINS@MLELAWFIRM.COM  
19 COUNSEL APPEARING ON BEHALF OF THE DEFENDANT.  
20  
21 ALSO PRESENT:  
22 JAVIER LEY-SOTO, ESQ.  
23 JLEYSOTO@MDC.EDU  
24 APPEARING ON BEHALF OF THE WITNESS.  
25  
26  
27 \* \* \* \* \*  
28 S T I P U L A T I O N S  
29  
30 It is hereby stipulated and agreed by and  
31 between counsel for the respective parties, and the  
32 deponent, that the reading and signing of the deposition  
33 are hereby reserved.  
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1 I N D E X  
2 WITNESS  
3 ANDREA FORERO  
4 Direct Examination by Mr. Elkins 4  
5  
6 E X H I B I T S  
7 PLAINTIFF'S DESCRIPTION PAGE  
8 Exhibit Number 1 Plaintiff's Second Amended 8  
9 Initial Disclosures  
10 Exhibit Number 2 Memorandum dated 12/16/22 to 11  
11 Guasto from Forero  
12 Exhibit Number 3 Text Message Exchange between 19  
13 Forero and Guasto, Bates JG000031  
14 Exhibit Number 4 Letter to Elkins from Miami Dade 22  
15 College with documents  
16  
17  
18  
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1 P R O C E E D I N G S  
2 \* \* \* \* \*  
3 THE REPORTER: Raise your right hand, please. Do  
4 you swear that the testimony you are about to give will  
5 be the truth, the whole truth, and nothing but the  
6 truth?  
7 THE WITNESS: I do.  
8 THE REPORTER: Thank you. You may proceed.  
9 ANDREA FORERO,  
10 Having been first duly sworn, testified as follows:  
11 DIRECT EXAMINATION  
12 BY MR. ELKINS:  
13 Q. Good morning, Ms. Forero.  
14 A. Good morning.  
15 Q. Can you just say your name so we have it on the  
16 record?  
17 A. Andrea Forero.  
18 Q. And where do you work, Ms. Forero?  
19 A. Miami Dade College.  
20 Q. Okay. Have you ever been deposed before?  
21 A. Yes, a long time ago.  
22 Q. Okay. Hold on one second.  
23 Okay. So since it was a long time ago, I'm just  
24 going to go over some quick grounds rules that will  
25 hopefully get us out of here very quick. It's not my

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1 intention to keep you here very long today. And if we both  
2 follow these rules, it will help speed it up.

3 So this is my opportunity to ask you some  
4 questions in the case of Jessica Guasto versus the City of  
5 Miami Beach. At no point time, no matter what my question  
6 is, do I want to know what you talked with Mr. Soto about.  
7 So even if the question would implicate a conversation  
8 between you and your attorney, don't tell me. And I'm sure  
9 he'll jump in if you get close to that.

10 Do you understand that?

11 **A. I understand.**

12 Q. Okay. Second, I'm asking you questions based on  
13 your personal knowledge. So I don't want you to guess. And  
14 I'm sure your lawyer doesn't want you to guess either. Do  
15 you understand that?

16 **A. I understand.**

17 Q. Okay. And it's important that we don't talk over  
18 each other because we have a court reporter here today and  
19 she can't take down two people talking at the same time.  
20 Does that make sense?

21 **A. Yes.**

22 Q. Hopefully, we will not go long enough that you'll  
23 even need a break. But should it come to pass that you do  
24 need a break, bathroom break, whatever it is, just tell me.  
25 Not a problem at all. I would just ask that if there's a

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1 question pending, you answer the question and then we go on  
2 break. Does that make sense?

3 **A. Yes.**

4 Q. And if at any point in time you don't understand  
5 my question, that's totally fine. Just go ahead and ask me  
6 to rephrase the question and I will do so.

7 **A. Okay.**

8 Q. Okay. Great.

9 Are you familiar at all with the lawsuit that  
10 Ms. Guasto has filed against the City of Miami Beach?

11 **A. No.**

12 Q. Okay. Have you had any conversations with  
13 Ms. Guasto -- I think she was known as Jessica Salabarria  
14 when she was with you guys maybe. Have you had any  
15 conversations with her about this lawsuit?

16 **A. No.**

17 Q. Have you had any conversations with her about  
18 testifying in this case?

19 **A. No.**

20 Q. And you'll see on the Zoom Mr. Daniel Barroukh is  
21 here. He's part of the Derek Smith Law Group.

22 Have you ever had any conversations with  
23 Mr. Barroukh about this lawsuit?

24 **A. No.**

25 Q. Have you ever had any conversations with anybody

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1 at the Derek Smith Law Group about this lawsuit?

2 **A. No.**

3 Q. Okay. Well, that was easy.

4 Did you -- what is your current role at Miami Dade  
5 College?

6 **A. I'm the Director of Campus Administration.**

7 Q. Okay. How long have you been in that role?

8 **A. For 18 years.**

9 Q. Very, very briefly: Can you just give us a little  
10 bit of a background on your responsibilities in that role?

11 **A. I oversee the public safety and campus services,  
12 IT media side and social media and events.**

13 Q. Okay. And when you were at Miami Dade College,  
14 did you have the opportunity to work with and/or interact  
15 with Ms. Guasto?

16 **A. Yes.**

17 Q. Okay. I'm going to show you a couple documents  
18 that I'm going to mark as exhibits. So just -- and I think  
19 you've seen some of these before, so bear with me.

20 THE REPORTER: Mike, can I have ten seconds,  
21 please?

22 MR. ELKINS: For you, Tammy, eleven.

23 (Recess was taken.)

24 BY MR. ELKINS:

25 Q. All right. So I'm showing you a document that I'm

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1 going to mark as Exhibit 1, Ms. Forero. This is Plaintiff's  
2 Second Amended Initial Disclosures.

3 (Plaintiff's Exhibit Number 1 marked for  
4 identification.)

5 BY MR. ELKINS:

6 Q. Do you see it on your screen?

7 **A. I see it.**

8 Q. Have you ever seen this document before?

9 **A. No.**

10 Q. Okay. I'm just going to scroll down. And I'll  
11 explain to you what this is, is in federal court, lawsuits  
12 like this, the parties have to serve disclosures of  
13 witnesses and documents. This was from the plaintiff's  
14 counsel, Mr. Barroukh, to me and it was a disclosure of  
15 additional witnesses. Do you understand that?

16 **A. Yes.**

17 Q. Okay. So your name -- you see here it says:  
18 "Name and address of persons likely to have discoverable  
19 information relating to claims or defenses." Do you see  
20 that?

21 **A. Yes.**

22 Q. And I'll just explain to you what that means is  
23 Mr. Barroukh and his client are listing people that they  
24 believe would have information that would be relevant and  
25 discoverable in this case. Do you understand that?

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1       **A. Yes.**  
2       Q. Okay. So I'm going to scroll down. And you'll  
3 see here that you're listed. Do you see your name? I'm  
4 kind of highlighting it.  
5       **A. Yes, I see it.**  
6       Q. Now, they listed you as care of their law firm.  
7 And I'll represent to you that under ordinary circumstances,  
8 when a lawyer does that that means that they have some  
9 connection to the witness, control of the witness.  
10       Do you have any connection to the Derek Smith Law  
11 Group at all?  
12       **A. I do not.**  
13       Q. You do not; is that what you said?  
14       **A. I do not.**  
15       Q. Do you have any idea why they would list you as a  
16 witness in a case and that your address and contact  
17 information was care of their law firm?  
18       **A. I do not.**  
19       Q. Okay. And then, the second part of this column --  
20 I'll scroll up so you can see that I'm not misrepresenting  
21 it -- is like the category of information that you would  
22 testify to, or that they believe you're going to testify to.  
23       And they listed here: "Ms. Forero has knowledge  
24 of plaintiff's employment subsequent to her employment for  
25 defendant, character, and work ethic."

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1       Do you see that?  
2       **A. I see it.**  
3       Q. Okay. Now, did you work with the plaintiff,  
4 Ms. Guasto?  
5       **A. I did.**  
6       Q. Okay. Do you have knowledge as to her character?  
7       **A. I don't, no.**  
8       Q. You don't know or no?  
9       **A. I don't. I don't.**  
10       Q. Okay. So do you have any testimony, opinion on or  
11 any information about the plaintiff's character?  
12       **A. No.**  
13       Q. Okay. Do you have any idea why the Derek Smith  
14 Law Group, Mr. Barroukh and/or the plaintiff, would have  
15 said that you have knowledge about that?  
16       **A. No:**  
17       Q. Okay. Have you had any -- I'm sorry. I don't  
18 know if I asked you this earlier. But have you had any  
19 conversations with the plaintiff about this case?  
20       **A. No.**  
21       Q. Okay. And then this last part, work ethic; do you  
22 have any information on the plaintiff's work ethic?  
23       **A. Can you define "ethic," the word? I have**  
24 **information about her work while she was there.**  
25       Q. Okay. That's fair. Yeah, that's fair. I can't

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1 really define work ethic. So you can kind of -- you could  
2 give that whatever meaning. They listed it as information  
3 you would have. They listed you as under their control. So  
4 whatever meaning you want to ascribe to "work ethic" is  
5 fine.  
6       But I think what I'll do is withdraw that question  
7 and let's talk a little bit about the documents in this case  
8 that you signed; is that fair?  
9       **A. Yes.**  
10       Q. Okay. Perfect.  
11       So hold on one moment.  
12       MR. ELKINS: I'm just going to mark --  
13 BY MR. ELKINS:  
14       Q. I'm going to show you what I'm marking. It's  
15 going to be in as Exhibit 2.  
16       (Plaintiff's Exhibit Number 2 marked for  
17 identification.)  
18 BY MR. ELKINS:  
19       Q. Okay. I'm showing you what I've marked as Exhibit  
20 2 for this deposition. I will represent to you that we --  
21 we, me, the City of Miami Beach, served a subpoena for  
22 documents on Miami Dade College. The document that I'm  
23 showing you was produced to my office from Miami Dade  
24 College.  
25       Have you ever seen this document before? And I'll

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1 give you a moment if you want me to scroll. But your name  
2 is at the top. Do you want me to scroll?  
3       **A. Yes.**  
4       Q. Okay. Just tell me if I'm scrolling too fast for  
5 you or if you want me to stop.  
6       **A. Can you hold on one second there?**  
7       Q. Yeah, no problem. Take your time.  
8       **A. Okay.**  
9       Q. Keep scrolling?  
10       **A. Yes.**  
11       Q. Okay. I'm going to scroll a little faster because  
12 there's two documents; is that okay, Ms. Forero?  
13       **A. Yes. Okay.**  
14       Q. Let me know when you're ready.  
15       **A. I'm ready.**  
16       Q. Okay. Let's go back up. It's really -- it's the  
17 letter, the five-page letter, and then there's the document  
18 from Ms. Guasto, and then there's the Personnel Action.  
19       So first, I'm going to talk to you about the  
20 five-page letter.  
21       **A. Okay.**  
22       Q. Is that your signature at the bottom of the letter  
23 on page 5?  
24       **A. Yes, it is.**  
25       Q. Did you draft the letter?

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<p style="text-align: center;">Page 13</p> <p>1       <b>A. I did not.</b></p> <p>2       Q. Who drafted the letter?</p> <p>3       <b>A. Our human resources department.</b></p> <p>4       Q. Did you have input into the letter?</p> <p>5       <b>A. Yes.</b></p> <p>6       Q. Did you direct -- well, first, who at your human</p> <p>7 resources department drafted the letter?</p> <p>8       <b>A. Ms. Sylvia Willin.</b></p> <p>9       Q. Did you direct her to draft the letter?</p> <p>10       <b>A. No.</b></p> <p>11       Q. Who did?</p> <p>12       <b>A. We -- there was a review of the -- of the issues</b></p> <p>13 <b>that were on the letter and the college decided to terminate</b></p> <p>14 <b>with the agreement of the supervisor, which was --</b></p> <p>15       Q. What was the name of the supervisor?</p> <p>16       <b>A. The supervisor -- the direct supervisor is Lynn</b></p> <p>17 <b>Larose. And I was the supervisor of the department.</b></p> <p>18       Q. So were you Ms. Guasto's supervisor?</p> <p>19       <b>A. I was not her direct supervisor, but I'm the</b></p> <p>20 <b>supervisor of the department.</b></p> <p>21       Q. I see. And who was her direct supervisor?</p> <p>22       <b>A. Lynn Larose.</b></p> <p>23       Q. Okay. And who made the -- who was the ultimate</p> <p>24 decision-maker to separate Ms. Guasto from employment with</p> <p>25 Miami Dade College?</p> <p style="text-align: center;"><b>COASTAL REPORTING, INC. (954) 523-5326</b></p>	<p style="text-align: center;">Page 14</p> <p>1       <b>A. The college through HR.</b></p> <p>2       Q. Okay. Is there a person, though, that made that</p> <p>3 decision, like an individual?</p> <p>4       <b>A. I'm not sure of the processes, how that goes in</b></p> <p>5 <b>terms of the --</b></p> <p>6       Q. Okay.</p> <p>7       <b>A. There's consultation with the supervisor, but</b></p> <p>8 <b>ultimately the college decides.</b></p> <p>9       Q. Did you review all the information in this letter</p> <p>10 before you signed it?</p> <p>11       <b>A. Yes, I did.</b></p> <p>12       Q. Okay. And is the information in the letter based</p> <p>13 upon your knowledge accurate?</p> <p>14       <b>A. Yes.</b></p> <p>15       Q. And is this letter an accurate representation of</p> <p>16 the letter that is kept by the college in its ordinary</p> <p>17 course of business?</p> <p>18       <b>A. Yes.</b></p> <p>19       Q. Okay. I just want to -- I'm not going to go</p> <p>20 through the letter word for word because the letter speaks</p> <p>21 for itself and you've testified that the letter is accurate.</p> <p>22               But I what I do want to know is: Was Ms. Guasto</p> <p>23 told you either can resign, but if you don't resign, you</p> <p>24 will be terminated?</p> <p>25       <b>A. That's what the document says.</b></p> <p style="text-align: center;"><b>COASTAL REPORTING, INC. (954) 523-5326</b></p>
<p style="text-align: center;">Page 15</p> <p>1       Q. And is that what happened?</p> <p>2       <b>A. Yes.</b></p> <p>3               MR. BARROUKH: Objection.</p> <p>4               MR. ELKINS: What's the objection?</p> <p>5               MR. BARROUKH: She's testifying to the entire</p> <p>6 document, not a specific question. You said is that</p> <p>7 what happened?</p> <p>8 BY MR. ELKINS:</p> <p>9       Q. Did ultimately Ms. Guasto resign?</p> <p>10       <b>A. Yes.</b></p> <p>11       Q. If she had not resigned, would she have been</p> <p>12 terminated?</p> <p>13       <b>A. Yes.</b></p> <p>14       Q. Okay. Okay. Let me ask you this: At any point</p> <p>15 in time, did Ms. Guasto advise HR or anyone at the college,</p> <p>16 if you know, that she was leaving the college for a</p> <p>17 different employer voluntarily?</p> <p>18       <b>A. No.</b></p> <p>19       Q. I'm going to show you -- actually, let me go back</p> <p>20 to this exhibit. Just two more things. Okay.</p> <p>21               You'll see that this letter was written on -- or</p> <p>22 you signed it -- sorry -- on December 16th, 2022; do you see</p> <p>23 that?</p> <p>24       <b>A. Yes.</b></p> <p>25       Q. Okay. And then, here is Ms. Guasto's -- what</p> <p style="text-align: center;"><b>COASTAL REPORTING, INC. (954) 523-5326</b></p>	<p style="text-align: center;">Page 16</p> <p>1 appears to be her Letter of Resignation; do you see that?</p> <p>2       <b>A. Yes.</b></p> <p>3       Q. And that was December 19th, 2022, so three days</p> <p>4 later?</p> <p>5       <b>A. Yes.</b></p> <p>6       Q. Any idea or do you know why the resignation is</p> <p>7 considered effective January 31, 2023?</p> <p>8       <b>A. I believe it refers back to the document that was</b></p> <p>9 <b>issued.</b></p> <p>10       Q. The letter?</p> <p>11       <b>A. But I'm not sure.</b></p> <p>12       Q. Okay. Fair enough.</p> <p>13               And in this resignation, she says: "It is</p> <p>14 unfortunate and untimely, but at this time, I will resign</p> <p>15 from my position at Miami Dade College. I have encountered</p> <p>16 adverse work conditions."</p> <p>17               Do you have any idea what she's talking about</p> <p>18 relating to adverse work conditions?</p> <p>19       <b>A. No.</b></p> <p>20       Q. To your knowledge, did Ms. Guasto make any</p> <p>21 complaints of adverse work conditions during her employment?</p> <p>22       <b>A. She wasn't in agreement with this document. I</b></p> <p>23 <b>mean, the outcome.</b></p> <p>24       Q. Understood.</p> <p>25               But prior to the issuance of this document, during</p> <p style="text-align: center;"><b>COASTAL REPORTING, INC. (954) 523-5326</b></p>

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1 her employment, did she complain about anything like  
2 discrimination, or harassment, or retaliation, or any of  
3 those types of things?  
4 **A. Not that I'm aware of.**  
5 MR. BARROUKH: Objection.  
6 BY MR. ELKINS:  
7 Q. You can answer, ma'am.  
8 **A. Not that I'm aware of.**  
9 Q. Okay. And at any point in time after her  
10 employment, are you aware personally aware of her filing any  
11 kind of, like, a charge of discrimination or a lawsuit or  
12 anything like that against the college?  
13 **A. No.**  
14 Q. And are you familiar with this document, this  
15 resignation letter?  
16 **A. Yes.**  
17 Q. And is this an accurate representation of the  
18 document that's kept by the college in its ordinary course  
19 of business?  
20 **A. Yes.**  
21 Q. Thank you.  
22 Okay. I'm going to go to the last document, which  
23 is the Request for Personnel Action. I'm assuming you've  
24 seen a document of this type before, correct? Is that fair?  
25 **A. Yes.**

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1 Q. Have you seen this particular document before?  
2 **A. Yes.**  
3 Q. Okay. And then, I see here your name is listed  
4 and you -- is that your -- are those your initials twice?  
5 **A. That's my signature.**  
6 Q. Okay. Perfect.  
7 I don't need to go into the details of this  
8 document. I just want to confirm, is this document  
9 accurate? I could shrink it so you could see the whole  
10 thing. Sorry.  
11 **A. Yes.**  
12 Q. Okay. And is this an accurate representation of  
13 the document as it's kept in the college's ordinary course  
14 of business?  
15 **A. Yes.**  
16 Q. Okay. So now having looked at the document, and  
17 you also seen the categories of information that  
18 Mr. Barroukh and his office and his client said that you'd  
19 testify to, going back to the work ethic question, do you  
20 have a -- do you have a viewpoint on plaintiff's work ethic?  
21 **A. No.**  
22 Q. Okay. Did you have any -- let me go back. I have  
23 one other document to show you. Give me one second.  
24 All right. I'm going to show you a document  
25 that's marked as Exhibit 3.

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1 (Plaintiff's Exhibit Number 3 marked for  
2 identification.)  
3 BY MR. ELKINS:  
4 Q. I will represent to you that this document was  
5 produced, and you can see at the bottom it says plaintiff  
6 Bates number and there's a number there. Just for the  
7 record, the Bate is, Bates number is JG000031. This  
8 document was produced by Mr. Barroukh's law office. I  
9 believe it is supposed to be a text message exchange between  
10 you and the plaintiff. I'll give you a minute to review.  
11 Well, first of all, have you ever seen this  
12 before?  
13 **A. No.**  
14 Q. Okay. Take a minute to read it. It's only one  
15 page.  
16 **A. Okay.**  
17 Q. First of all, do you -- are you aware of or do you  
18 have any other text messages wit the plaintiff besides this  
19 one?  
20 **A. No.**  
21 Q. So this is the only text message exchange you ever  
22 had with the plaintiff about her work?  
23 **A. I do not recall the -- if I do.**  
24 Q. But currently in your possession, do you have any  
25 other communications with her?

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1 **A. I don't know.**  
2 Q. Okay.  
3 **A. I haven't looked.**  
4 Q. Okay. And have you -- well, have you spoken to  
5 the plaintiff at all since her separation from employment  
6 with the college?  
7 **A. Only to retrieve her items from the college.**  
8 Q. Understood. Other than that? Okay.  
9 **A. No.**  
10 Q. Okay. So do you remember the year of this  
11 message? I'm going to assume it's 2022, but I'm not a  
12 hundred percent sure.  
13 **A. I don't know. I assume it's 2022 as well. It can**  
14 **only be 2022.**  
15 Q. Right, because that's when she worked at the  
16 college?  
17 **A. Exactly.**  
18 Q. Okay. It says here: "Thank you, Chief, for your  
19 leadership and your team's amazing efforts. It was a tough  
20 day, but ultimately we did what we set out to do and helped  
21 lots of people today."  
22 Do you see that?  
23 **A. Yes.**  
24 Q. Is that you talking to the plaintiff?  
25 **A. Yes.**

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1 Q. Okay. And you referred to her as Chief, why?  
2 A. **She was a Chief of Public Safety.**  
3 Q. Okay. And what was this about?  
4 A. **If I recall, it was a food drive that we had.**  
5 Q. Anything else?  
6 A. **The food drive and her -- apparently, from the --**  
7 **her team did well.**  
8 Q. Okay. And did you ever send her any other  
9 complimentary text messages that you can recall?  
10 A. **Not that I recall.**  
11 Q. Okay. Does this have anything to do with, any  
12 bearing on, or any relevance to her ultimate separation from  
13 the college?  
14 A. **No.**  
15 Q. And I presume you wouldn't have signed her  
16 separation documents had you not agreed with the decision to  
17 separate her?  
18 A. **Correct.**  
19 Q. And was Ms. Guasto separated for violating the  
20 college's policies and procedures?  
21 A. **Yes.**  
22 Q. I have just -- I'm going to show you one other  
23 document and then I think -- then I think I'm done. Give me  
24 one second just to label it. Okay.  
25 I'm calling this Exhibit 4.

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1 (Plaintiff's Exhibit Number 4 marked for  
2 identification.)  
3 BY MR. ELKINS:  
4 Q. I just have to ask you somewhat I will call  
5 procedural questions. So the first page of this document is  
6 a letter from Miami Dade College to my office about the  
7 document production, and then the next few pages are your  
8 letter which we've already talked about and admitted as part  
9 of the exhibit, plus Ms. Guasto's Resignation, the Personnel  
10 Action Form that you signed. And then there's a chart that  
11 was produced to me and then what looks to be payroll  
12 records. Do you see that?  
13 A. **Yes.**  
14 Q. Okay. Do you happen to know what this chart is?  
15 A. **No.**  
16 Q. Okay. And then these payroll records; are you  
17 able to or can you verify the accuracy of these records? Do  
18 you have any involvement with these?  
19 A. **I don't.**  
20 Q. Okay. Fair enough.  
21 And I just want to verify one last time, make sure  
22 that I have it: The letter that you signed, is everything  
23 in that letter a true and accurate representation of what  
24 happened with Ms. Guasto and her employment at the college?  
25 A. **Yes.**

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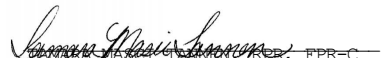
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1 MR. ELKINS: I don't have anything further.  
2 MR. BARROUKH: I don't have any questions today.  
3 Thank you.  
4 MR. ELKINS: Okay. Thank you, Ms. Forero. I do  
5 really appreciate your time. I'm sorry we had to go  
6 through this.  
7 Javier, appreciate you getting this done.  
8 MR. LEY-SOTO: Not a problem.  
9 MR. ELKINS: I promised you short. And I think I  
10 achieved that.  
11 THE REPORTER: Read or waive?  
12 MR. LEY-SOTO: We'll read.  
13 MR. ELKINS: I'm going to order rush. If you can  
14 overnight, that would be ideal. Mini only. And I'm  
15 going to drop the exhibits in the chat for you right  
16 now. Is that okay?  
17 THE REPORTER: Daniel, are you getting a copy of  
18 this.  
19 MR. BARROUKH: No, thank you.  
20 (Deposition concluded at 10:24 A.M.)  
21  
22  
23  
24  
25

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1 CERTIFICATE OF OATH  
2 STATE OF FLORIDA  
3 COUNTY OF BROWARD  
4 I, TAMARA MASCI TANNEN, RPR, Notary Public, State of  
5 Florida, certify that ANDREA FORERO personally appeared  
6 before me via Zoom on the 23rd day of July 2024 and was duly  
7 sworn.  
8 Signed this 23rd day of July 2024.

9  
10  
11   
12 Notary Public  
13 State of Florida  
14 My Commission #HH 93523  
15 Expires March 7, 2025  
16  
17  
18  
19  
20  
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22  
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24  
25

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REPORTER'S DEPOSITION CERTIFICATE

STATE OF FLORIDA )  
COUNTY OF PALM BEACH)

I, TAMARA MASCI TANNEN, Registered Professional Reporter, certify that I was authorized to and did stenographically report the deposition of ANDREA FORERO; that a review of the transcript was requested; and that the foregoing transcript, pages 1-23, is a true and complete record of my stenographic notes.

I FURTHER CERTIFY that I am not a relative, employee, attorney or counsel of any of the parties, nor am I a relative or employee of any of the parties' attorney or counsel connected with the action, nor am I financially interested in the action.

DATED this 23rd day of July 2024.

  
TAMARA MASCI TANNEN, RPR-C

COASTAL REPORTING, INC. (954) 523-5326

E R R A T A S H E E T

DO NOT WRITE ON THE TRANSCRIPT - ENTER CHANGES

IN RE: GUASTO V CITY OF MIAMI BEACH  
CASE NO: 1:22-cv-21004-DPG  
DATE: JULY 23, 2024  
DEPONENT NAME: ANDREA FORERO

PAGE/LINE	CORRECTION	REASON
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(Use other side if necessary)

Under penalties of perjury, I declare that I have read the foregoing document and that the facts stated are true.

ANDREA FORERO \_\_\_\_\_ DATE \_\_\_\_\_

COASTAL REPORTING, INC. (954) 523-5326

DATE: JULY 23, 2024

ANDREA FORERO

C/O JLEYSOTO@MDC.EDU

IN RE: GUASTO V CITY OF MIAMI BEACH  
Deposition of Andrea Forero

This letter is to advise you that the transcript taken in the above-referenced deposition has been transcribed. Please contact our office at (954) 523-5326 to make arrangements to read and sign or sign below to waive review of the transcript.

It is suggested that the review of this transcript be completed within 30 days of your receipt of this letter as considered reasonable under Federal Rules\*; however, there is no Florida Statute to this regard.

The original of this transcript has been forwarded to the ordering party and your errata, once received, will be forwarded to all ordering parties for inclusion in the transcript.

Very truly yours,

  
TAMARA MASCI TANNEN, RPR-C

Waiver:

I, \_\_\_\_\_, hereby waive the reading and signing of my deposition transcript.

DEPONENT \_\_\_\_\_ DATE \_\_\_\_\_

\*Federal Civil Procedure Rule 30(e) Florida Civil Procedure Rule 1.310(e).



se 1-22 cv 21004-MD Document 86-3 Entered on FLSD Docket 07/26/2024 Page 8 of 36

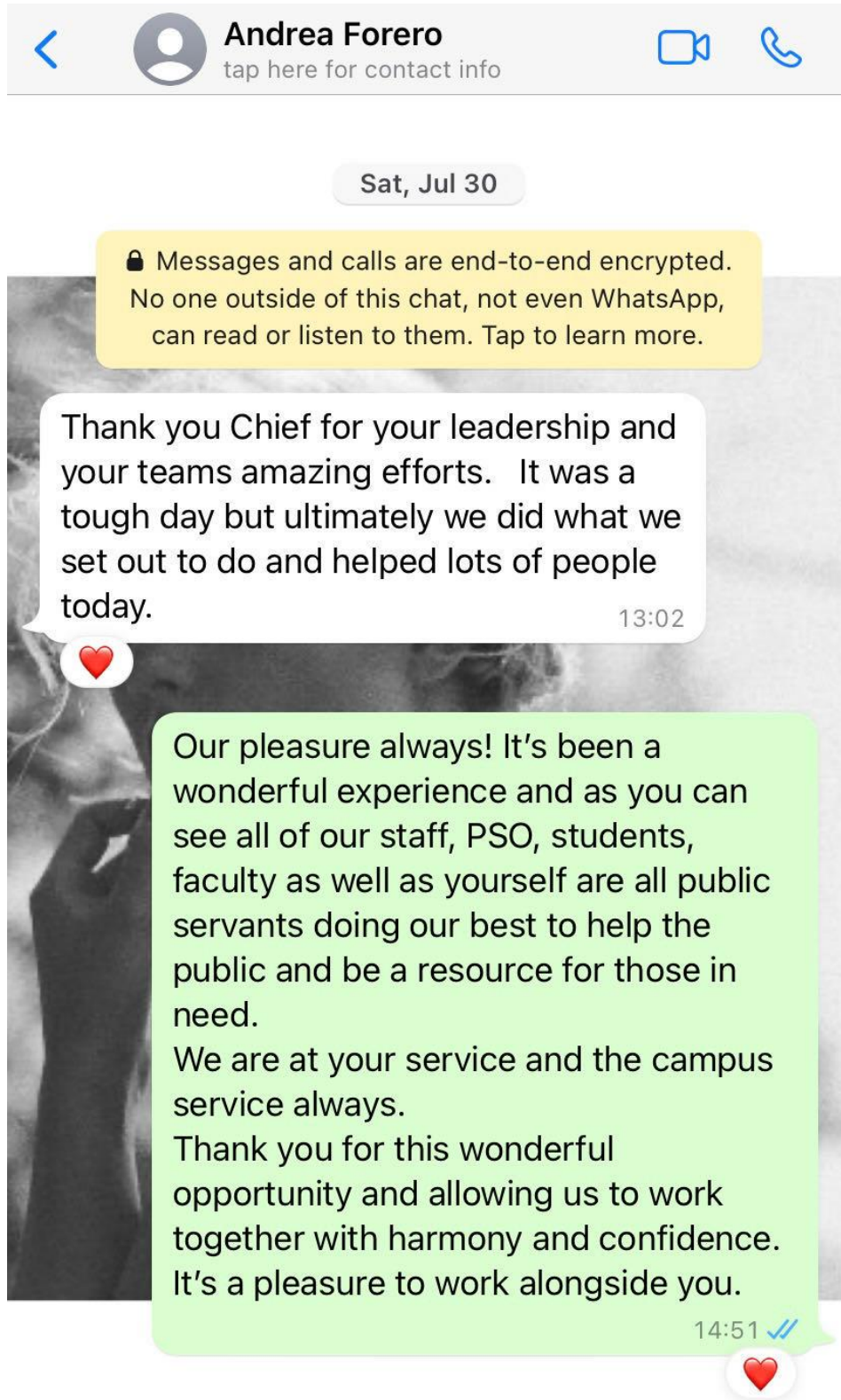
BY MR. ELKINS: [6] 4/12 7/24 15/8 17/6 19/3 22/3 MR. BARROUKH: [5] 15/3 15/5 17/5 23/2 23/19 MR. ELKINS: [7] 7/22 11/12 15/4 23/1 23/4 23/9 23/13 MR. LEY-SOTO: [2] 23/8 23/12 THE REPORTER: [5] 4/3 4/8 7/20 23/11 23/17	accuracy [1] 22/17 accurate [1] 10/25 14/15 14/21 17/17 18/9 18/12 22/23 achieved [1] 23/10 action [5] 12/18 17/23 22/10 25/10 25/10 actually [1] 15/19 additional [1] 8/15 address [2] 8/18 9/16 Administration [1] 7/6 admitted [1] 22/8 adverse [3] 16/16 16/18 16/21 advise [2] 15/15 27/6 after [1] 17/9 against [2] 6/10 17/12 ago [2] 4/21 4/23 agreed [2] 2/19 21/16 agreement [2] 13/14 16/22 ahead [1] 6/5 all [10] 5/25 6/9 7/25 9/11 14/9 18/24 19/11 19/17 20/5 27/12 already [1] 22/8 also [2] 2/12 18/17 am [3] 25/8 25/9 25/10 amazing [1] 20/19 Amended [2] 3/8 8/2 ANDREA [9] 1/14 4/9 4/17 24/5 25/6 26/4 26/20 27/2 27/5 answer [2] 6/1 17/7 any [31] anybody [1] 6/25 anyone [1] 15/15 anything [5] 17/1 17/12 21/5 21/11 23/1 apparently [1] 21/6 APPEARANCES [1] 1/20 appeared [1] 24/5 APPEARING [3] 2/5 2/11 2/14 appears [1] 16/1 appreciate [2] 23/5 23/7 are [12] 2/22 4/4 6/9 8/23 17/10 17/14 18/4 19/17 22/7 22/16 23/17 26/18 arrangements [1] 27/7 as [17] 4/10 6/13 7/18 8/1 9/6 9/15 10/6 11/2 11/3 11/15 11/19 18/13 18/25 20/13 21/1 22/8 27/10 ascribe [1] 11/4 ask [5] 5/3 5/25 6/5 15/14 22/4 asked [1] 10/18 asking [1] 5/12 assume [2] 20/11 20/13 assuming [1] 17/23 attorney [3] 5/8 25/9 25/10 authorized [1] 25/5 aware [5] 17/4 17/8 17/10 17/10 19/17	16/8 18/19 18/22 bathroom [1] 5/24 be [11] 4/5 8/24 11/15 14/24 16/1 19/9 20/14 22/11 23/14 27/9 27/12 BEACH [7] 1/8 5/5 6/10 11/21 25/3 26/3 27/4 bear [1] 7/19 bearing [1] 21/12 because [4] 5/18 12/11 14/20 20/15 been [6] 4/10 4/20 7/7 15/11 27/6 27/11 before [9] 4/20 7/19 8/8 11/25 14/10 17/24 18/1 19/12 24/6 BEHALF [3] 2/5 2/11 2/14 believe [4] 8/24 9/22 16/8 19/9 below [1] 27/7 besides [1] 19/18 between [4] 2/20 3/11 5/8 19/9 bit [2] 7/10 11/7 both [1] 5/1 bottom [2] 12/22 19/5 break [4] 5/23 5/24 5/24 6/2 BRICKELL [1] 2/3 briefly [1] 7/9 BROWARD [1] 24/3 business [3] 14/17 17/19 18/14	claims [1] 8/19 class [2] 9/2 18/18 close [1] 5/9 college [22] 3/13 4/19 7/5 7/13 11/22 11/24 13/13 13/25 14/1 14/8 14/16 15/15 15/16 16/15 17/12 17/18 20/6 20/7 20/16 21/13 22/6 22/24 college's [2] 18/13 21/20 column [1] 9/19 come [1] 5/23 Commission [1] 24/12 communications [1] 19/25 complain [1] 17/1 complaints [1] 16/21 complete [1] 25/7 completed [1] 27/9 complimentary [1] 21/9 concluded [1] 23/20 conditions [3] 16/16 16/18 16/21 CONFERENCING [1] 1/17 confirm [1] 18/8 connected [1] 25/10 connection [2] 9/9 9/10 considered [2] 16/7 27/10 consultation [1] 14/7 contact [2] 9/16 27/7 control [2] 9/9 11/3 conversation [1] 5/7 conversations [6] 6/12 6/15 6/17 6/22 6/25 10/19 copy [1] 23/17 correct [2] 17/24 21/18 CORRECTION [1] 26/6 could [3] 11/1 18/9 18/9 counsel [6] 2/5 2/11 2/20 8/14 25/9 25/10 COUNTY [2] 24/3 25/3 couple [1] 7/17 course [3] 14/17 17/18 18/13 court [4] 1/2 5/18 8/11 27/16 current [1] 7/4 currently [1] 19/24 cv [2] 1/5 26/3	decision [3] 13/24 11/16 decision-maker [1] 13/24 declare [1] 26/18 defendant [3] 1/10 2/11 9/25 defenses [1] 8/19 define [2] 10/23 11/1 department [4] 13/3 13/7 13/17 13/20 deponent [3] 2/21 26/4 27/20 deposed [1] 4/20 deposition [9] 1/14 2/21 11/20 23/20 25/1 25/6 27/5 27/6 27/19 DEREK [5] 2/2 6/21 7/1 9/10 10/13 DEREKSMITHLAW.COM [1] 2/5 DESCRIPTION [1] 3/7 details [1] 18/7 did [21] 7/4 7/14 10/3 10/5 12/25 13/1 13/4 13/6 13/9 13/11 14/9 14/11 15/9 15/15 16/20 17/1 18/22 20/20 21/7 21/8 25/5 different [1] 15/17 direct [6] 4/11 13/6 13/9 13/16 13/19 13/21 Director [1] 7/6 disclosure [1] 8/14 disclosures [3] 3/8 8/2 8/12 discoverable [2] 8/18 8/25 discrimination [2] 17/2 17/11 DISTRICT [2] 1/2 1/3 DIVISION [1] 1/4 do [47] document [27] 7/25 8/8 11/22 11/25 12/17 14/25 15/6 16/8 16/22 16/25 17/14 17/18 17/22 17/24 18/1 18/8 18/8 18/13 18/16 18/23 18/24 19/4 19/8 21/23 22/5 22/7 26/18 documents [7] 3/13 7/17 8/13 11/7 11/22 12/12 21/16 does [4] 5/20 6/2 9/8 21/11 doesn't [1] 5/14 don't [16] 5/8 5/13 5/17 6/4 10/7 10/8 10/9 10/9 10/17 14/23 18/7 20/1 20/13 22/19 23/1 23/2 done [2] 21/23 23/7 down [3] 5/19 8/10 9/2 DPG [2] 1/5 26/3 draft [2] 12/25 13/9 drafted [2] 13/2 13/7 drive [3] 2/3 21/4 21/6 drop [1] 23/15 duly [2] 4/10 24/6 during [2] 16/21 16/25					
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[2] 4/10 24/7 Sylvia [1] 13/8</div> <div>T take [3] 5/19 12/7 19/14 taken [2] 7/23 27/6 talk [3] 5/17 11/7 12/19 talked [2] 5/6 22/8 talking [3] 5/19 16/17 20/24 TAMARA [5] 1/18 24/4 24/10 25/5 25/16 Tammy [1] 7/22 TANNEN [5] 1/18 24/4 24/10 25/5 25/16 team [1] 21/7 team's [1] 20/19</div>	<div>tell [3] 5/8 5/24 2/20 ten [1] 7/20 terminate [1] 13/13 terminated [2] 14/24 15/12 terms [1] 14/5 TERRACE [1] 2/9 testified [2] 4/10 14/21 testify [3] 9/22 9/22 18/19 testifying [2] 6/18 15/5 testimony [2] 4/4 10/10 text [5] 3/11 19/9 19/18 19/21 21/9 than [1] 20/8 thank [6] 4/8 17/21 20/18 23/3 23/4 23/19 that [91] that's [8] 6/5 10/25 10/25 14/25 17/18 18/5 18/25 20/15 their [3] 9/6 9/17 11/3 then [13] 6/1 9/19 10/21 12/17 12/18 15/25 18/3 21/23 21/23 22/7 22/10 22/11 22/16 there [6] 10/24 12/6 13/12 14/2 19/6 27/10 there's [7] 5/25 12/12 12/17 12/18 14/7 19/6 22/10 these [5] 5/2 7/19 22/16 22/17 22/18 they [8] 8/23 9/6 9/8 9/15 9/22 9/23 11/2 11/3 thing [1] 18/10 things [2] 15/20 17/3 think [6] 6/13 7/18 11/6 21/23 21/23 23/9 this [56] those [2] 17/3 18/4 though [1] 14/2 three [1] 16/3 through [3] 14/1 14/20 23/6 time [12] 1/16 4/21 4/23 5/5 5/19 6/4 12/7 15/15 16/14 17/9 22/21 23/5 Timofey [1] 27/16 today [4] 5/1 5/18 20/21 23/2 told [1] 14/23 too [1] 12/4 top [1] 12/2 totally [1] 6/5 tough [1] 20/19 transcribed [1] 27/7 transcript [9] 25/6 25/7 26/2 27/6 27/8 27/9 27/11 27/13 27/19 true [3] 22/23 25/7 26/18 truly [1] 27/14 truth [3] 4/5 4/5 4/6 twice [1] 18/4 two [3] 5/19 12/12 15/20 type [1] 17/24 types [1] 17/3</div>
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<b>U</b>	<b>withdraw [1]</b> 11/6 <b>withdrew [1]</b> 11/6 <b>ultimately [3]</b> 14/8 15/9 20/20 <b>under [4]</b> 9/7 11/3 26/18 27/10 <b>understand [7]</b> 5/10 5/11 5/15 5/16 6/4 8/15 8/25 <b>Understood [2]</b> 16/24 20/8 <b>unfortunate [1]</b> 16/14 <b>UNITED [1]</b> 1/2 <b>untimely [1]</b> 16/14 <b>up [3]</b> 5/2 9/20 12/16 <b>upon [1]</b> 14/13 <b>us [2]</b> 4/25 7/9 <b>Use [1]</b> 26/17
<b>V</b>	<b>verify [2]</b> 22/17 22/21 <b>versus [1]</b> 5/4 <b>very [5]</b> 4/25 5/1 7/9 7/9 27/14 <b>via [2]</b> 1/17 24/6 <b>viewpoint [1]</b> 18/20 <b>violating [1]</b> 21/19 <b>voluntarily [1]</b> 15/17 <b>VS [1]</b> 1/7
<b>W</b>	<b>waive [3]</b> 23/11 27/7 27/18 <b>Waiver [1]</b> 27/17 <b>want [11]</b> 5/6 5/13 5/14 11/4 12/1 12/2 12/5 14/19 14/22 18/8 22/21 <b>was [33]</b> <b>wasn't [1]</b> 16/22 <b>we [13]</b> 4/15 5/1 5/17 5/18 5/22 6/1 11/20 11/21 13/12 20/20 20/20 21/4 23/5 <b>We'll [1]</b> 23/12 <b>we've [1]</b> 22/8 <b>well [6]</b> 7/3 13/6 19/11 20/4 20/13 21/7 <b>were [3]</b> 7/13 13/13 13/18 <b>what [21]</b> 5/5 5/6 7/4 8/11 8/22 9/13 11/6 11/14 11/19 13/15 14/22 14/25 15/1 15/7 15/25 16/17 20/20 21/3 22/11 22/14 22/23 <b>What's [1]</b> 15/4 <b>whatever [3]</b> 5/24 11/2 11/4 <b>when [5]</b> 6/14 7/13 9/8 12/14 20/15 <b>where [1]</b> 4/18 <b>which [3]</b> 13/14 17/22 22/8 <b>while [1]</b> 10/24 <b>who [6]</b> 13/2 13/6 13/11 13/21 13/23 13/23 <b>whole [2]</b> 4/5 18/9 <b>why [4]</b> 9/15 10/13 16/6 21/1 <b>will [11]</b> 4/4 4/24 5/2 5/22 6/6 11/20 14/24 16/14 19/4 22/4 27/12 <b>Willin [1]</b> 13/8 <b>wit [1]</b> 19/18
<b>W</b>	<b>withdraw [1]</b> 11/6 <b>withdrew [1]</b> 11/6 <b>witness [6]</b> 2/14 3/2 4/7 9/9 9/9 9/16 <b>witnesses [2]</b> 8/13 8/15 <b>word [3]</b> 10/23 14/20 14/20 <b>work [15]</b> 4/18 7/14 9/25 10/3 10/21 10/22 10/24 11/1 11/4 16/16 16/18 16/21 18/19 18/20 19/22 <b>worked [1]</b> 20/15 <b>would [10]</b> 5/7 5/25 8/24 8/24 9/15 9/21 10/14 11/3 15/11 23/14 <b>wouldn't [1]</b> 21/15 <b>WRITE [1]</b> 26/2 <b>written [1]</b> 15/21
<b>Y</b>	<b>Yeah [2]</b> 10/25 12/7 <b>year [1]</b> 20/10 <b>years [1]</b> 7/8 <b>Yes [34]</b> <b>you [154]</b> <b>you'd [1]</b> 18/18 <b>you'll [4]</b> 5/22 6/20 9/2 15/21 <b>you're [3]</b> 9/3 9/22 12/14 <b>you've [3]</b> 7/19 14/21 17/23 <b>your [27]</b> 4/3 4/15 5/8 5/13 5/14 7/4 7/10 8/6 8/17 9/3 9/16 12/1 12/7 12/22 13/6 14/13 16/20 18/3 18/4 18/4 19/24 20/18 20/19 22/7 23/5 27/9 27/12 <b>yours [1]</b> 27/14
<b>Z</b>	<b>ZOOM [3]</b> 1/17 6/20 24/6





**MIAMI DADE COLLEGE**  
**PUBLIC SAFETY DEPARTMENT / HIALEAH CAMPUS****M E M O R A N D U M****VERBALLY COMMUNICATED AND EMAILED ([Jessica.guasto@gmail.com](mailto:Jessica.guasto@gmail.com))**

**Date:** December 16, 2022

**To:** Jessica Guasto, Public Safety Chief

**From:** Andrea Forero, Director Campus Administration

**Subject:** Notice of Final Action of Termination



Based on your position of trust in the Public Safety Department, your service in a responsible position of Public Safety Chief, Hialeah Campus, and the severity of these offenses, this memorandum serves to advise you of the College's decision to terminate your employment from the position of Public Safety Chief, Hialeah Campus, effective, January 31, 2023, for violation of College Procedure 2410 Performance and Disciplinary Standards, Disciplinary Appeal Process, and Complaint Process for Full-Time Employees, specifically, Performance Standard of Conduct, Section IV (1):

- (c) Acts that disrupt or interfere with the administration or functions of the College.
- (e) Failure to inform the supervisor when leaving a work area.

On December 2, 2022, Ms. Larose met with you, in the presence of Dr. Sawyer (present as a resource since I was on leave. During this meeting, you were given a Notice of Administrative Leave with Pay Pending Investigation (see attached) for procedural violations

This Notice states: *"Based on your established work schedule – 8:00 am – 4:30 pm Monday through Friday on the following dates/times you left the workplace without notifying me or obtaining prior approval."*

Work schedule information has been provided to Ms. Guasto on several occasions, specifically,

- New Employee Supervisor Checklist, signed May 23, 2022, with the *"Scheduled work time: 8 A.M. to 4:30 P.M."*
- Email dated June 20, 2022, from Ms. Guasto stated, *"My schedule for now is Monday-Friday from 09:30 – 4:30."* Which references the following statement from Ms. Guasto, *"However, I mostly maintain the same schedule and just advise you and Andrea of any changes in scheduling."*
- In text exchanges on June 28, 2022, Ms. Larose acknowledged Ms. Guasto's clarification and further reiterated that the work schedule includes a one (1) hour meal break. In addition, Ms. Larose was clear in stating that waiving her meal break is acceptable *"once in a while"*; however, it should be a continuous pattern.

HR - DISCIPL

- During their weekly meetings, Ms. Larose revisits the established 8:30am – 4:30pm schedule. However, found it necessary to remind Ms. Guasto of that fact on August 22, 2022 via email stating, *"Your summer schedule should have ended on July 29<sup>th</sup>. You will need to resume your regular schedule starting tomorrow, from 8am – 4:30pm."*
- On September 20, 2022, Ms. Larose emailed the link for College Procedures 2828 Workday-Workweek Shift/Alternative Work Schedule for Non-Instructional Personnel after another conversation about the workday.
- On September 26, 2022, Ms. Larose emailed Ms. Guasto asking if she was on campus? Approximately one hour later, at 5:12 PM Ms. Guasto responded, *"I left to a meeting with HPD for Wednesday. After the meeting I had my lunch. I will be on campus till 7pm tonight."* Ms. Larose responded, *"As I mentioned to you in the past, please let me know in advance and place meetings on your calendar."*
- On November 8, 2022, Ms. Larose emails Weekly Meeting recap regarding PEC employee scheduled workweek. *"7. Discussed what it means to be a PEC employee. PEC employees are expected to be here during the scheduled work week. If an event (i.e., open house, community event) happens outside of the normal work hours, we are still expected to work normal hours and the additional hours due to an event."*

Specific allegations listed is as follows:

Allegation: October 14, 2022, you left the workplace at 2:45pm

Ms. Guasto's partial response: *"Pursuant to my research, I left the workplace at 3:35 PM."*

Findings: Admits leaving prior to the 4:30pm end of the scheduled workday. Last FOB activity is at 2:52pm. Camera footage shows Ms. Guasto at her car at 2:56pm then leaves the workplace at 3:35pm. Ms. Larose was not notified of early departure.

Allegation: October 18, 2022, you left the workplace at 2:48pm

Ms. Guasto's partial response: *"I left the workplace at 3:34 PM."*

Findings: Admits leaving prior to the 4:30pm end of the scheduled workday. No FOB activity between 9:46am to 2:39pm. Camera footage shows Ms. Guasto leaving the workplace at 2:49pm. Ms. Larose was not notified of early departure.

Allegation: November 04, 2022, you left the workplace at 10:08am

Ms. Guasto's partial response: *"I left the workplace at 5:37 PM."*

Findings: There is no evidence of FOB activity after 10:00am on this date for Ms. Guasto. 10:06am camera footage shows Ms. Guasto getting into the passenger side of her vehicle, then leaves the workplace. Camera footage later shows Ms. Guasto leaving the workplace at 5:35pm. Ms. Larose was not notified.

Allegation: November 07, 2022, you left the workplace at 2:18pm

Ms. Guasto's partial response: *"It was at 2:23 PM that I left in order to assist Security Officer ..."*

Findings: Admits leaving prior to the 4:30pm end of the scheduled workday. No FOB activity is recorded for this date. Camera footage shows Ms. Guasto leaving the workplace at 2:23pm. Ms. Larose was not notified of early departure.

Additionally, the notice also referenced the following:

*"Separately, pursuant to a request form me: On October 26, 2022, you agreed to work from 5:00pm – 1:30 am, and left the workplace at 10:10 pm"*

Ms. Guasto did not respond to this.

Findings: Email exchanges on October 21<sup>st</sup> and 24<sup>th</sup> regarding the instructions given to Ms. Guasto related to working the Family Night Out on October 26, 2022. For this day, Ms. Larose specifically adjusted Ms. Guasto's workday schedule, stating, *"Wednesday you will come in from 5pm – 1:30am."* FOB activity recorded only from 5:03pm to 9:29pm. Camera footage shows Ms. Guasto leaving the workplace at 10:10pm. Ms. Larose was not notified of early departure.

The College's decision is based on the findings of this investigation.

You may voluntarily resign from your position. Should you choose to voluntarily resign your position, you may utilize the enclosed resignation form for that purpose. Please submit your resignation to the attention of Ms. Sylvia Willin by email at [swillin@mdc.edu](mailto:swillin@mdc.edu) or fax, 786-408-6427, by 4:30pm on Monday, December 19, 2022. Please follow-up by mailing your original resignation. Should you elect this option, the mailing address is Miami Dade College, Division of Human Resources, Kendall Campus, 11011 S.W. 104<sup>th</sup> Street, Room 1111, Miami, Florida 33176-3393.

If you elect not to resign from your position, the College will proceed with termination of your employment, effective January 31, 2023. You will not be expected to report for work after today's meeting.



Please note the following information:

Your paycheck for the pay period of December 5, 2022, through December 18, 2022, was issued on pay date, December 15, 2022, and was directly deposited with your banking institution.

Your paycheck for the pay period of December 19, 2022, through January 1, 2023, was issued on pay date, December 16, 2022, and was directly deposited with your banking institution.

Pursuant to the annual employment contract, you will receive payment through January 31, 2023. Your paycheck for the pay period of January 2, 2023, through January 15, 2023, will be issued on pay date, January 13, 2023, and will be directly deposited with your banking institution.

Your paycheck for the pay period of January 16, 2023, through January 29, 2023, will be issued on pay date, January 27, 2023, and will be directly deposited with your banking institution.

Your final Paycheck for January 30<sup>th</sup> and 31<sup>st</sup>, 2023, will be issued on pay date February 10, 2023. Questions you have regarding retirement or insurance should be directed to the Office of Compensation and Benefits at 305-237-2010.

You will receive a separate paycheck, paid within 60 days of final pay, which will contain the payment for any vacation leave balance you currently have remaining. The total amount of this payment cannot exceed thirty (30) workdays or 225 hours. If the amount of this payment is \$1,000.00 or more, the College will place this money in an account for you under the College's Terminal Leave Payment program, administered through BENCOR, Incorporated. BENCOR's contact information is 1-888-258-3422 or [www.bencor.com](http://www.bencor.com).

Please make arrangements with me to return any College-issued property in your possession or to secure your personal items by today. I may be contacted at (305) 237-8825.

You may also address questions regarding this process to the Employee Relations department, Ms. Sylvia Willin at 305-237-0266 or by email at [swillin@mdc.edu](mailto:swillin@mdc.edu).

**Advisory Regarding Retaliation**

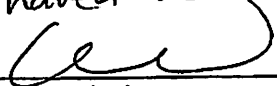
Please note that Federal law and College Policy I-21 Equal Access/Equal Opportunity, prohibit retaliatory conduct causing any interference, coercion, restraint or reprisal against a person complaining of discrimination or harassment or participating in the resolution of a complaint of discrimination, harassment or whistleblowing. This protection applies to all parties related to a complaint (i.e., complainants, respondents, witnesses). Report allegations of retaliation to the Office of EOP/ADA for review and resolution.

cc: Employee File  
Dr. Georgette Perez, Campus President, Hialeah Campus  
Ms. Lynn Larose, Director, Campus Services  
Sylvia Willin, Employee Relations Officer

Attachments:

- College Procedure 2410 Performance and Disciplinary Standards, Disciplinary Appeal Process, and Complaint Process for Full-Time Employees
- New Employee Supervisor Checklist, signed May 23, 2022
- Administrative Leave with Pay Pending Investigation dated December 2, 2022

Andrea Forero

  
\_\_\_\_\_  
Signature of Director

12/16/2022  
\_\_\_\_\_  
Date


To Whom It May Concern at Miami Dade College:

I, Jessica Guasto, hereby resign from my position of

Chief/Director in the Public Safety Department Department at

Miami Dade College, effective, January 3 1st, 2023.

My EMPL ID# is 1001196510.

  
\_\_\_\_\_  
Signature

December 19th, 2022  
\_\_\_\_\_  
Date

It is unfortunate and untimely, but at this time I will resign from my position at MDC. I have encountered adverse work conditions and have decided on advice of counsel, to resign as Chief of Public Safety and continue to pursue future endeavors. As is the case, I have met many outstanding individuals in the Organization and only wish them the best as well as the best for the Organization going forward.

Thank you.

Jessica Guasto



## Request for Personnel Action

Required Forms for New Employees

Effective Start Date: 01/31/2023

Action (Select One): Termination (Exit Form Required)

FOR ALL TRANSFERS, PLEASE INCLUDE THE FORMER DEPARTMENT NUMBER IN THE EXPLANATION SECTION (D) BELOW.

## SECTION A - GENERAL INFORMATION

Name:	Empl ID:	SSN, if new hire:
Jessica Guasto	1 0 0 1 1 9 6 5 1 0	
Title/Job Code/Grade:	Position #:	
Public Safety Chief/Director;321200;15	00002165	

## Find Position Job Codes and Chartstrings

Operating Unit	Fund Code	ICS	Campus Center	Department ID	Account	Budget Ref #
HI01	101	7200000	7000	100100	5300000	

Grant Positions Only	Project #	PC Bus. Unit	Activity

Pay Group (Select One):

PEC - Professional Exempt Contractual

Department Name:

Public Safety

Location (Select One):

Hialeah Campus

If location is District, please check: ☐

## SECTION B - PAYMENT DESCRIPTION

Base Annual Salary:	Hourly Rate:

## SECTION C - REASON FOR ACTION (SELECT ONE)

Termination must include reason. Select from code list below. Rate increase requests must include written justification with attached job description. Previous information for charge must be included.

Resignation

## SECTION D - PROVIDE ADDITIONAL INFORMATION

Please refer to Employee Relations

Resignation -  
in lieu of termination

## ADDITIONAL JOBS IN SAME PAY GRADE/CLASS

Position	Rate	Job Code

## HUMAN RESOURCES ONLY - RECRUITING SERVICES

Check off if applicable (Posting Vacancy/ Candidate)		
<input type="checkbox"/> External	<input type="checkbox"/> Internal	<input type="checkbox"/> New Position
Check off all degrees required for position, if applicable		
<input type="checkbox"/> Associates	<input type="checkbox"/> Bachelors	<input type="checkbox"/> Masters <input type="checkbox"/> Doctorate
2080 Position, Please check: <input type="checkbox"/> Yes <input type="checkbox"/> No		

## HUMAN RESOURCES ONLY - EMPLOYEE SERVICES

Data Entry Date	Audit Date
1/3/2023	
HR Initials	HR Initials
LR	

Check all that apply:

- ☒ Full-Time ☐ Grant Position  
☐ Part-Time ☐ Interim

Status (Select One): Select one

Expected End Date (if applicable):

Reports To Position Number: 00003869

Reports To Name (First and Last):

Lynn Larose

## SECTION E - ACTION AUTHORIZATION

Andrea Forero	7-8825	<i>[Signature]</i>	12-28-22
Hiring Manager/Originator	Extension	Signature	Date
Andrea Forero	7-8825	<i>[Signature]</i>	12-28-22
Budget Manager	Extension	Signature	Date
Dr. Georgette Perez	7-8712	<i>Georgette Perez</i>	Dec 28, 2022
Campus/Division Head	Extension	Signature	Date
<i>[Signature]</i>	70204	<i>[Signature]</i>	1/3/23
Human Resources	Extension	Signature	Date

COPY FOR BOARD

## OVERSIGHT SIGNATURES/DATE/EXTENSION/JOBCODE

Position	Rate	Job Code

<input type="checkbox"/> Transcripts on file	<input type="checkbox"/> Not attached
E-Verify: (mm/dd/yyyy)	Background Completed: (mm/dd/yyyy)
Forward copy to E.R. to Follow-up (Check, if applicable)	
Secure degree/certification within months from hire date	
Degree Incentive \$	
Job Posting Dates:	Opening Closing

## HUMAN RESOURCES ONLY - BENEFITS

Check off if applicable (Retirement)			
<input type="checkbox"/> Retiree With Benefits	<input type="checkbox"/> Retiree Without Benefits		
<input type="checkbox"/> DROP	<input type="checkbox"/> DROP S	<input type="checkbox"/> DROP V	<input type="checkbox"/> DROP SV
DROP Start Date: mm/dd/yyyy		DROP End Date: mm/dd/yyyy	



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

JESSICA GUASTO,

Plaintiff,

v.

THE CITY OF MIAMI BEACH, FL,  
a Florida municipality, et al.

Defendants.

CASE NO.: 1:22-cv-21004-MD

**PLAINTIFF'S SECOND AMENDED INITIAL DISCLOSURES**

Pursuant to Rule 26(a) of the Federal Rules of Civil Procedure, Plaintiff, JESSICA GUASTO ("Plaintiff" and/or "Guasto"), by and through her undersigned counsel, hereby makes the following initial disclosures:

**I. Preliminary Statement**

1. This disclosure statement is submitted without waiver of any applicable privilege or protection from disclosure, such as the attorney-client and/or work-product privileges.
2. Plaintiff reserves the right to object to discovery and/or admissibility at trial of any information contained in or derived from this disclosure statement.
3. Plaintiff does not concede the relevancy of any information contained in or derived from this disclosure statement.
4. Plaintiff reserves the right to rely upon the individuals identified in this disclosure statement for subjects other than those identified herein for any reason, including, but not limited to, responding to Defendant's disclosures, discovery requests, evidence, and testimony.

5. Plaintiff reserves the right to supplement these disclosures if and when additional responsive information becomes available.
6. Plaintiff reserves the right to rely upon those individuals and documents identified in Defendant's disclosure statement.

**II. Name and Address of Persons Likely to Have Discoverable Information Relating to Claims or Defenses**

Ms. Jessica Salabarría (f/k/a Jessica Guasto), <i>Plaintiff</i> c/o Derek Smith Law Group, PLLC 520 Brickell Key Dr, Suite O-301 Miami, Florida 33131	Plaintiff has knowledge regarding discriminatory actions by the City of Miami Beach management; facts of this case and employment history.
Mr. Richard Clements, <i>former Chief of Police for Defendant</i> c/o MLE LAW 1212 Northeast 16th Terrace Fort Lauderdale, FL 33304	Mr. Clements likely has knowledge regarding Plaintiff's employment, Plaintiff's claims alleged in the Complaint, and treatment of other employees at the City of Miami Beach.
Mr. Steven Cosner, <i>Employee for Defendant</i> c/o MLE LAW 1212 Northeast 16th Terrace Fort Lauderdale, FL 33304	Mr. Cosner likely has knowledge regarding Plaintiff's employment, and Plaintiff's claims alleged in the Complaint, and treatment of other employees at the City of Miami Beach.
Mr. Nicholas Guasto, <i>Employee for Defendant</i>	Mr. Guasto likely has knowledge regarding Plaintiff's employment, Plaintiff's claims alleged in the Complaint, and treatment of other employees at the City of Miami Beach.
Mr. Reginald Lester, <i>Employee for Defendant</i>	Mr. Lester likely has knowledge regarding Plaintiff's employment, Plaintiff's claims alleged in the Complaint, and treatment of other employees at the City of Miami Beach.
Mr. Paul Ozaeta, <i>Employee for Defendant</i>	Mr. Ozaeta likely has knowledge regarding Plaintiff's employment, Plaintiff's claims alleged in the Complaint, and treatment of other employees at the City of Miami Beach.

Mr. Jerrome Berrian Jr., <i>Employee for Defendant</i> c/o MLE LAW 1212 Northeast 16th Terrace Fort Lauderdale, FL 33304	Mr. Berrian Jr, likely has knowledge regarding Plaintiff's employment, character, and work-ethic, and Defendant's treatment of other employees at the City of Miami Beach.
Mr. Elvis Santana c/o Derek Smith Law Group, PLLC 520 Brickell Key Dr, Suite O-301 Miami, Florida 33131	Mr. Santana has knowledge of Plaintiff's employment with Defendant, character, and work ethic.
Mr. Jeremiah Lockett c/o Derek Smith Law Group, PLLC 520 Brickell Key Dr, Suite O-301 Miami, Florida 33131	Mr. Lockett has knowledge of Plaintiff's employment subsequent to her employment for Defendant, character, and work ethic.
Ms. Vania Gutierrez c/o Derek Smith Law Group, PLLC 520 Brickell Key Dr, Suite O-301 Miami, Florida 33131	Ms. Gutierrez has knowledge of Plaintiff's employment subsequent to her employment for Defendant, character, and work ethic.
Ms. Thaely Carrasco c/o Derek Smith Law Group, PLLC 520 Brickell Key Dr, Suite O-301 Miami, Florida 33131	Ms. Carrasco has knowledge of Plaintiff's employment subsequent to her employment for Defendant, character, and work ethic.
Mr. Nelson Magana c/o Derek Smith Law Group, PLLC 520 Brickell Key Dr, Suite O-301 Miami, Florida 33131	Mr. Magana has knowledge of Plaintiff's employment subsequent to her employment for Defendant, character, and work ethic.
Ms. Andrea Forero c/o Derek Smith Law Group, PLLC 520 Brickell Key Dr, Suite O-301 Miami, Florida 33131	Ms. Forero has knowledge of Plaintiff's employment subsequent to her employment for Defendant, character, and work ethic.
Dr. Paul Mason, <i>Plaintiff's Expert Witness</i> c/o Derek Smith Law Group, PLLC 520 Brickell Key Dr, Suite O-301 Miami, Florida 33131	Dr. Paul Mason likely has knowledge regarding the Plaintiff's economic losses.
All witnesses identified by Plaintiff and/or Defendant throughout the course of discovery in this matter.	

Plaintiff reserves the right to supplement/amend this response as more information becomes available and as may be appropriate and necessary.



### **III. Documents**

- All pleadings on file with the Court and/or exchanged between parties in this action.
- All discovery which has or will be produced by Plaintiff and Defendant in this action.
- Plaintiff's Expert Report.
- All correspondence, emails, and text messages between Plaintiff and Defendant, including any of Defendant's employees.
- All employment documents given to Plaintiff by Defendant.
- All documents obtained during the investigation by any administrative agency including the Equal Employment Opportunity Commission and Florida Human Relations Commission.
- Job application materials and mitigation records.
- Comparator evidence and records of comparator employees.

Plaintiff reserves the right to supplement/amend this response as more information becomes available and as may be appropriate and necessary.

### **IV. Damages**

At this juncture, Plaintiff is claiming the following damages:

- **Lost Wages**
  - Plaintiff claims lost wages in the amount of \$2,406,315.69, and lost benefits in the amount of \$124,742.10. Plaintiff has based this amount on Plaintiff's Expert Report and incorporates Plaintiff's Expert Report by reference herein.
- **Attorney's Fees**
  - Plaintiff will also claim attorney's fees as a prevailing party.

Plaintiff reserves the right to supplement/amend this response as more information becomes available and as may be appropriate and necessary.

### **V. INSURANCE**

N/A

Dated: Miami, Florida  
May 7, 2024,

**DEREK SMITH LAW GROUP, PLLC**  
*Counsel for Plaintiff*

/s/ Daniel J. Barroukh  
Daniel J. Barroukh, Esq.  
Florida Bar No.: 1049271  
Derek Smith Law Group, PLLC  
520 Brickell Key Dr, Suite O-301  
Miami, FL 33131  
Tel: (305) 946-1884  
Fax: (305) 503-6741  
[Danielb@dereksmithlaw.com](mailto:Danielb@dereksmithlaw.com)

**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that a true and correct copy of the foregoing document is being served on May 7, 2024, via email to all counsel of record on the service list below.

By: /s/ Daniel J. Barroukh  
Daniel J. Barroukh, Esq.

**SERVICE LIST**

**CITY ATTORNEY'S OFFICE OF MIAMI BEACH**

Benjamin Z. Braun  
benjaminbraun@miamibeachfl.gov  
Florida Bar No.: 1017937  
Henry Joseph Hunnefeld  
henryhunnefeld@miamibeachfl.gov  
Florida Bar No. 343811  
1700 Convention Center Drive  
Miami Beach, Florida 33139  
Telephone: (305) 673-7470  
Facsimile: (877) 673-7002

**MLE LAW**

Michael Lewis Elkins  
melkins@mlelawfirm.com  
Florida Bar No.: 523781  
1212 NE 16th Terrace  
Fort Lauderdale, FL 33304  
Telephone: (954) 401-2608

*Counsel for Defendants*

Office of Legal Affairs  
300 N.E. 2nd Avenue, Room 1453  
Miami, Florida 33132-2297  
Office: 305-237-3694  
Fax: 305-237-7654  
fbacigal@mdc.edu • www.mdc.edu



**Miami Dade  
College**

Wolfson Campus



Franco D. Bacigalupo  
Assistant General Counsel

April 4, 2024

**VIA CERTIFIED MAIL**

Michael L. Elkins  
MLE Law  
1213 S.E. 3rd Ave  
Fort Lauderdale, FL 33316

**RE: Response to Subpoena pertaining to *Guasto v. City of Miami Beach* (Case No. 1:22-cv-21004-DPG)**

Dear Mr. Elkins:

The College has reviewed the Subpoena To Produce Documents relating to the above-referenced case. The records responsive to the subpoena are enclosed.

Please be advised that the records deemed confidential under Federal and Florida Statutes have been redacted.

Please be further advised that due to the nominal number of pages, the College has waived any cost associated with the production of the enclosed records.

This completes the College's response to your subpoena for the above-referenced records. Should you have any questions, please contact our office at 305-237-3694. Thank you.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Franco D. Bacigalupo'.

Franco D. Bacigalupo  
Assistant General Counsel  
Miami Dade College

Enclosures



## MEMORANDUM

VERBALLY COMMUNICATED AND EMAILED ([Jessica.guasto@gmail.com](mailto:Jessica.guasto@gmail.com))

**Date:** December 16, 2022  
**To:** Jessica Guasto, Public Safety Chief  
**From:** Andrea Forero, Director Campus Administration  
**Subject:** Notice of Final Action of Termination



Based on your position of trust in the Public Safety Department, your service in a responsible position of Public Safety Chief, Hialeah Campus, and the severity of these offenses, this memorandum serves to advise you of the College's decision to terminate your employment from the position of Public Safety Chief, Hialeah Campus, effective, January 31, 2023, for violation of College Procedure 2410 Performance and Disciplinary Standards, Disciplinary Appeal Process, and Complaint Process for Full-Time Employees, specifically, Performance Standard of Conduct, Section IV (1):

- (c) Acts that disrupt or interfere with the administration or functions of the College.
- (e) Failure to inform the supervisor when leaving a work area.

On December 2, 2022, Ms. Larose met with you, in the presence of Dr. Sawyer (present as a resource since I was on leave. During this meeting, you were given a Notice of Administrative Leave with Pay Pending Investigation (see attached) for procedural violations

This Notice states: *"Based on your established work schedule – 8:00 am – 4:30 pm Monday through Friday on the following dates/times you left the workplace without notifying me or obtaining prior approval."*

Work schedule information has been provided to Ms. Guasto on several occasions, specifically,

- New Employee Supervisor Checklist, signed May 23, 2022, with the *"Scheduled work time: 8 A.M. to 4:30 P.M."*
- Email dated June 20, 2022, from Ms. Guasto stated, *"My schedule for now is Monday-Friday from 09:30 – 4:30."* Which references the following statement from Ms. Guasto, *"However, I mostly maintain the same schedule and just advise you and Andrea of any changes in scheduling."*
- In text exchanges on June 28, 2022, Ms. Larose acknowledged Ms. Guasto's clarification and further reiterated that the work schedule includes a one (1) hour meal break. In addition, Ms. Larose was clear in stating that waiving her meal break is acceptable *"once in a while"*; however, it should be a continuous pattern.

HR - DISCIPL

- During their weekly meetings, Ms. Larose revisits the established 8:30am – 4:30pm schedule. However, found it necessary to remind Ms. Guasto of that fact on August 22, 2022 via email stating, *"Your summer schedule should have ended on July 29<sup>th</sup>. You will need to resume your regular schedule starting tomorrow, from 8am – 4:30pm."*
- On September 20, 2022, Ms. Larose emailed the link for College Procedures 2828 Workday-Workweek Shift/Alternative Work Schedule for Non-Instructional Personnel after another conversation about the workday.
- On September 26, 2022, Ms. Larose emailed Ms. Guasto asking if she was on campus? Approximately one hour later, at 5:12 PM Ms. Guasto responded, *"I left to a meeting with HPD for Wednesday. After the meeting I had my lunch. I will be on campus till 7pm tonight."* Ms. Larose responded, *"As I mentioned to you in the past, please let me know in advance and place meetings on your calendar."*
- On November 8, 2022, Ms. Larose emails Weekly Meeting recap regarding PEC employee scheduled workweek. *"7. Discussed what it means to be a PEC employee. PEC employees are expected to be here during the scheduled work week. If an event (i.e., open house, community event) happens outside of the normal work hours, we are still expected to work normal hours and the additional hours due to an event."*

Specific allegations listed is as follows:

Allegation: October 14, 2022, you left the workplace at 2:45pm

Ms. Guasto's partial response: *"Pursuant to my research, I left the workplace at 3:35 PM."*

Findings: Admits leaving prior to the 4:30pm end of the scheduled workday. Last FOB activity is at 2:52pm. Camera footage shows Ms. Guasto at her car at 2:56pm then leaves the workplace at 3:35pm. Ms. Larose was not notified of early departure.

Allegation: October 18, 2022, you left the workplace at 2:48pm

Ms. Guasto's partial response: *"I left the workplace at 3:34 PM."*

Findings: Admits leaving prior to the 4:30pm end of the scheduled workday. No FOB activity between 9:46am to 2:39pm. Camera footage shows Ms. Guasto leaving the workplace at 2:49pm. Ms. Larose was not notified of early departure.

Allegation: November 04, 2022, you left the workplace at 10:08am

Ms. Guasto's partial response: *"I left the workplace at 5:37 PM."*

Findings: There is no evidence of FOB activity after 10:00am on this date for Ms. Guasto. 10:06am camera footage shows Ms. Guasto getting into the passenger side of her vehicle, then leaves the workplace. Camera footage later shows Ms. Guasto leaving the workplace at 5:35pm. Ms. Larose was not notified.

Allegation: November 07, 2022, you left the workplace at 2:18pm

Ms. Guasto's partial response: *"It was at 2:23 PM that I left in order to assist Security Officer ..."*

Findings: Admits leaving prior to the 4:30pm end of the scheduled workday. No FOB activity is recorded for this date. Camera footage shows Ms. Guasto leaving the workplace at 2:23pm. Ms. Larose was not notified of early departure.

Additionally, the notice also referenced the following:

*"Separately, pursuant to a request form me: On October 26, 2022, you agreed to work from 5:00pm – 1:30 am, and left the workplace at 10:10 pm"*

Ms. Guasto did not respond to this.

Findings: Email exchanges on October 21<sup>st</sup> and 24<sup>th</sup> regarding the instructions given to Ms. Guasto related to working the Family Night Out on October 26, 2022. For this day, Ms. Larose specifically adjusted Ms. Guasto's workday schedule, stating, *"Wednesday you will come in from 5pm – 1:30am."* FOB activity recorded only from 5:03pm to 9:29pm. Camera footage shows Ms. Guasto leaving the workplace at 10:10pm. Ms. Larose was not notified of early departure.

The College's decision is based on the findings of this investigation.

You may voluntarily resign from your position. Should you choose to voluntarily resign your position, you may utilize the enclosed resignation form for that purpose. Please submit your resignation to the attention of Ms. Sylvia Willin by email at [swillin@mdc.edu](mailto:swillin@mdc.edu) or fax, 786-408-6427, by 4:30pm on Monday, December 19, 2022. Please follow-up by mailing your original resignation. Should you elect this option, the mailing address is Miami Dade College, Division of Human Resources, Kendall Campus, 11011 S.W. 104<sup>th</sup> Street, Room 1111, Miami, Florida 33176-3393.

If you elect not to resign from your position, the College will proceed with termination of your employment, effective January 31, 2023. You will not be expected to report for work after today's meeting.



Please note the following information:

Your paycheck for the pay period of December 5, 2022, through December 18, 2022, was issued on pay date, December 15, 2022, and was directly deposited with your banking institution.

Your paycheck for the pay period of December 19, 2022, through January 1, 2023, was issued on pay date, December 16, 2022, and was directly deposited with your banking institution.

Pursuant to the annual employment contract, you will receive payment through January 31, 2023. Your paycheck for the pay period of January 2, 2023, through January 15, 2023, will be issued on pay date, January 13, 2023, and will be directly deposited with your banking institution.

Your paycheck for the pay period of January 16, 2023, through January 29, 2023, will be issued on pay date, January 27, 2023, and will be directly deposited with your banking institution.

Your final Paycheck for January 30<sup>th</sup> and 31<sup>st</sup>, 2023, will be issued on pay date February 10, 2023. Questions you have regarding retirement or insurance should be directed to the Office of Compensation and Benefits at 305-237-2010.

You will receive a separate paycheck, paid within 60 days of final pay, which will contain the payment for any vacation leave balance you currently have remaining. The total amount of this payment cannot exceed thirty (30) workdays or 225 hours. If the amount of this payment is \$1,000.00 or more, the College will place this money in an account for you under the College's Terminal Leave Payment program, administered through BENCOR, Incorporated. BENCOR's contact information is 1-888-258-3422 or [www.bencor.com](http://www.bencor.com).

Please make arrangements with me to return any College-issued property in your possession or to secure your personal items by today. I may be contacted at (305) 237-8825.

You may also address questions regarding this process to the Employee Relations department, Ms. Sylvia Willin at 305-237-0266 or by email at [swillin@mdc.edu](mailto:swillin@mdc.edu).

**Advisory Regarding Retaliation**

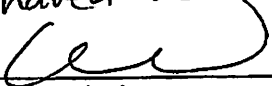
Please note that Federal law and College Policy I-21 Equal Access/Equal Opportunity, prohibit retaliatory conduct causing any interference, coercion, restraint or reprisal against a person complaining of discrimination or harassment or participating in the resolution of a complaint of discrimination, harassment or whistleblowing. This protection applies to all parties related to a complaint (i.e., complainants, respondents, witnesses). Report allegations of retaliation to the Office of EOP/ADA for review and resolution.

cc: Employee File  
Dr. Georgette Perez, Campus President, Hialeah Campus  
Ms. Lynn Larose, Director, Campus Services  
Sylvia Willin, Employee Relations Officer

Attachments:

- College Procedure 2410 Performance and Disciplinary Standards, Disciplinary Appeal Process, and Complaint Process for Full-Time Employees
- New Employee Supervisor Checklist, signed May 23, 2022
- Administrative Leave with Pay Pending Investigation dated December 2, 2022

Andrea Forero

  
\_\_\_\_\_  
Signature of Director

12/16/2022  
\_\_\_\_\_  
Date


To Whom It May Concern at Miami Dade College:

I, Jessica Guasto, hereby resign from my position of

Chief/Director in the Public Safety Department Department at

Miami Dade College, effective, January 3 1st, 2023.

My EMPL ID# is 1001196510.

  
\_\_\_\_\_  
Signature

December 19th, 2022  
\_\_\_\_\_  
Date

It is unfortunate and untimely, but at this time I will resign from my position at MDC. I have encountered adverse work conditions and have decided on advice of counsel, to resign as Chief of Public Safety and continue to pursue future endeavors. As is the case, I have met many outstanding individuals in the Organization and only wish them the best as well as the best for the Organization going forward.

Thank you.

Jessica Guasto



## Request for Personnel Action

Required Forms for New Employees

Effective Start Date: 01/31/2023

Action (Select One): Termination (Exit Form Required)

FOR ALL TRANSFERS, PLEASE INCLUDE THE FORMER DEPARTMENT NUMBER IN THE EXPLANATION SECTION (D) BELOW.

## SECTION A - GENERAL INFORMATION

Name:	Empl ID:	SSN, if new hire:
Jessica Guasto	1 0 0 1 1 9 6 5 1 0	
Title/Job Code/Grade:	Position #:	
Public Safety Chief/Director;321200;15	00002165	

## Find Position Job Codes and Chartstrings

Operating Unit	Fund Code	ICS	Campus Center	Department ID	Account	Budget Ref #
HI01	101	7200000	7000	100100	5300000	

Grant Positions Only	Project #	PC Bus. Unit	Activity

Pay Group (Select One):

PEC - Professional Exempt Contractual

Department Name:

Public Safety

Location (Select One):

Hialeah Campus

If location is District, please check: ☐

## SECTION B - PAYMENT DESCRIPTION

Base Annual Salary:	Hourly Rate:

## SECTION C - REASON FOR ACTION (SELECT ONE)

Termination must include reason. Select from code list below. Rate increase requests must include written justification with attached job description. Previous information for change must be included.

Resignation

## SECTION D - PROVIDE ADDITIONAL INFORMATION

Please refer to Employee Relations

Resignation -  
in lieu of termination

Position	Rate	Job Code

## HUMAN RESOURCES ONLY - RECRUITING SERVICES

Check off if applicable (Posting Vacancy/ Candidate)		
<input type="checkbox"/> External	<input type="checkbox"/> Internal	<input type="checkbox"/> New Position
Check off all degrees required for position, if applicable		
<input type="checkbox"/> Associates	<input type="checkbox"/> Bachelors	<input type="checkbox"/> Masters <input type="checkbox"/> Doctorate
2080 Position, Please check: <input type="checkbox"/> Yes <input type="checkbox"/> No		

## HUMAN RESOURCES ONLY - EMPLOYEE SERVICES

Data Entry Date	Audit Date
1/3/2023	
HR Initials	HR Initials
LR	

Check all that apply:

- ☒ Full-Time ☐ Grant Position  
☐ Part-Time ☐ Interim

Status (Select One): Select one

Expected End Date (if applicable):

Reports To Position Number: 00003869

Reports To Name (First and Last):

Lynn Larose

## SECTION E - ACTION AUTHORIZATION

Andrea Forero	7-8825	<i>[Signature]</i>	12-28-22
Hiring Manager/Originator	Extension	Signature	Date
Andrea Forero	7-8825	<i>[Signature]</i>	12-28-22
Budget Manager	Extension	Signature	Date
Dr. Georgette Perez	7-8712	<i>Georgette Perez</i>	Dec 28, 2022
Campus/Division Head	Extension	Signature	Date
<i>[Signature]</i>	70204	<i>[Signature]</i>	1/3/23
Human Resources	Extension	Signature	Date

COPY FOR BOARD

Position	Rate	Job Code

<input type="checkbox"/> Transcripts on file	<input type="checkbox"/> Not attached
E-Verify: (mm/dd/yyyy)	Background Completed: (mm/dd/yyyy)
Forward copy to E.R. to Follow-up (Check, if applicable)	
Secure degree/certification within months from hire date	
Degree Incentive \$	
Job Posting Dates:	Opening Closing

## HUMAN RESOURCES ONLY - BENEFITS

Check off if applicable (Retirement)			
<input type="checkbox"/> Retiree With Benefits	<input type="checkbox"/> Retiree Without Benefits		
<input type="checkbox"/> DROP	<input type="checkbox"/> DROP S	<input type="checkbox"/> DROP V	<input type="checkbox"/> DROP SV
DROP Start Date: mm/dd/yyyy		DROP End Date: mm/dd/yyyy	

Employee ID	Empl Reco	Check Dt	Last Name	First Name	Earn Code	Hours	Amount
1001196510	0	2/23/2023	Guasto	Jessica	PSB	42.5	1491.33
1001196510	0	2/23/2023	Guasto	Jessica	VAB	37.5	1275.38
1001196510	0	1/27/2023	Guasto	Jessica	TE4	0	30
1001196510	0	1/13/2023	Guasto	Jessica	TE4	0	30
1001196510	0	1/13/2023	Guasto	Jessica	ADM	37.5	1275.29
1001196510	0	12/16/2022	Guasto	Jessica	ADM	37.5	1275.29
1001196510	0	12/15/2022	Guasto	Jessica	TE4	0	30
1001196510	0	12/15/2022	Guasto	Jessica	SIC	7.5	255.06
1001196510	0	12/2/2022	Guasto	Jessica	TE4	0	30
1001196510	0	11/18/2022	Guasto	Jessica	TE4	0	30
1001196510	0	11/18/2022	Guasto	Jessica	VAC	7.5	255.06
1001196510	0	11/4/2022	Guasto	Jessica	TE4	0	30
1001196510	0	11/4/2022	Guasto	Jessica	SIC	3.25	110.53
1001196510	0	10/21/2022	Guasto	Jessica	TE4	0	30
1001196510	0	10/21/2022	Guasto	Jessica	DSE	7.5	255.06
1001196510	0	10/21/2022	Guasto	Jessica	SIC	7.5	255.06
1001196510	0	10/7/2022	Guasto	Jessica	TE4	0	30
1001196510	0	10/7/2022	Guasto	Jessica	PSA	7.5	255.06
1001196510	0	9/23/2022	Guasto	Jessica	TE4	0	30
1001196510	0	9/23/2022	Guasto	Jessica	SIC	15	510.12
1001196510	0	9/23/2022	Guasto	Jessica	VAC	15	510.12
1001196510	0	9/9/2022	Guasto	Jessica	TE4	0	30
1001196510	0	8/26/2022	Guasto	Jessica	TE4	0	30
1001196510	0	8/12/2022	Guasto	Jessica	TE4	0	30
1001196510	0	7/15/2022	Guasto	Jessica	TE4	0	30
1001196510	0	7/1/2022	Guasto	Jessica	TE4	0	30
1001196510	0	6/17/2022	Guasto	Jessica	TE4	0	30
1001196510	0	6/17/2022	Guasto	Jessica	TE4	0	30



Form **W-2 Wage and Tax Statement** 2022

c Employer's name, address, and ZIP code  
 MIAMI DADE COLLEGE  
 11011 SW 104TH STREET  
 OFFICE OF THE CONTROLLER, BUILDING 9  
 MIAMI FL 33176

e Employee's name, address, and ZIP code

JESSICA GUASTO  
 117 NW 42ND AVENUE  
 APT 1008  
 MIAMI FL 33126

REPRINT

7 Social security tips	1 Wages, tips, other comp. 40012.76	2 Federal income tax withheld 4352.32
8 Allocated tips	3 Social security wages 41229.28	4 Social security tax withheld 2556.22
9	5 Medicare wages and tips 41229.28	6 Medicare tax withheld 597.82
10 Dependent care benefits	11 Nonqualified plans	12a See instructions for box 12 C 7.80
13 Statutory employee Retirement plan Third-party sick pay	14 Other FRS 1224.32	12b DD 5379.12
b Employer identification number (EIN) 59-1210485		12c
a Employee's social security no.		12d
15 State Employer's state ID no.	16 State wages, tips, etc.	17 State income tax
	18 Local wages, tips, etc.	19 Local income tax
		20 Locality name

Copy B To Be Filed With Employee's FEDERAL Tax Return

This information is being furnished to the Internal Revenue Service.  
 OMB No. 1545-0008

Dept. of the Treasury - IRS  
 Visit the IRS Web Site at [www.irs.gov/efile](http://www.irs.gov/efile)

This information is being furnished to the Internal Revenue Service. If you are required to file a tax return, a negligence penalty or other sanction may be imposed on you if this income is taxable and you fail to report it.

Form **W-2 Wage and Tax Statement** 2022

c Employer's name, address, and ZIP code  
 MIAMI DADE COLLEGE  
 11011 SW 104TH STREET  
 OFFICE OF THE CONTROLLER, BUILDING 9  
 MIAMI FL 33176

e Employee's name, address, and ZIP code

JESSICA GUASTO  
 117 NW 42ND AVENUE  
 APT 1008  
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Copy C For EMPLOYEE'S RECORDS (See Notice to Employee on back of Copy B.)

OMB No. 1545-0008

Dept. of the Treasury - IRS

Form **W-2 Wage and Tax Statement** 2022

c Employer's name, address, and ZIP code  
 MIAMI DADE COLLEGE  
 11011 SW 104TH STREET  
 OFFICE OF THE CONTROLLER, BUILDING 9  
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Dept. of the Treasury - IRS

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L87

OMB No. 1545-0008

S206

Dept. of the Treasury - IRS



Form **W-2 Wage and Tax Statement** 2023

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117 NW 42ND AVENUE  
APT 1008  
MIAMI FL 33126

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OMB No. 1545-0008

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OMB No. 1545-0008

5206

Dept. of the Treasury - IRS